

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL APPLICATION (BAIL) NO. 354 OF 2018

VITHAL CHAWAN, PRESENTLY IN
JUDICIAL CUSTODY AT CENTRAL JAIL
COLVALE, THR. TABASSUM BANU
SHAIKH.,

... Applicant

Versus

STATE OF GOA, THR. PUBLIC
PROSECUTOR AND ANR.,

... Respondents

Shri Vibhav Rajiv Amonkar, Advocate for the Applicant.

Shri Mahesh Amonkar, Additional Public Prosecutor for the
Respondents.

Coram:- C. V. BHADANG, J.

Date:- 11th January 2019

P.C.

Heard the learned Counsel for the applicant and the learned
Additional Public Prosecutor for the respondents.

2. The applicant has been arrested on 25.10.2018, on the ground
of having found in possession of 2 kgs. of "grass like substance",
suspected to be ganja, which is an offence which falls under
Section 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic
Substances Act, 1985 (Act, for short).

3. Undisputedly, after the rejection of the application for bail
by the learned Special Judge, the investigation is complete and

the chargesheet is filed. The quantity allegedly recovered from the applicant is a variable quantity, where the rigor of Section 37 of the Act would not apply.

4. Considering the overall circumstances, the following order is passed:

- (a) The applicant shall be released on bail on execution of a P.R. Bond in the sum of Rs.50,000/-, with two solvent sureties in the amount of Rs.25,000/- each, out of which, one surety shall be the daughter of the applicant, namely, Tabassum Shaikh, who is a resident of Goa.
- (b) The applicant shall furnish his native address alongwith his local address on affidavit, before the learned Sessions Judge.
- (c) The applicant shall not commit similar offence, while on bail.
- (d) In the event of breach of any of the conditions, the bail is liable to be cancelled.
- (e) Bail Bonds to be furnished before the learned Sessions Judge.

C. V. BHADANG, J.